

MINUTES of the Regular Meeting of the City
Council of the City of Rye held in City Hall on July 19,
2000 at 8:00 P.M.

PRESENT:

STEVEN OTIS, Mayor
CAROLYN CUNNINGHAM
ROBERTA DOWNING
ROBERT H. HUTCHINGS
ROSAMOND LARR
DOUGLAS MCKEAN
ARTHUR STAMPLEMAN
Councilmen

ABSENT:

NONE

1. Pledge of Allegiance

Mayor Otis invited the audience to join the council in the Pledge of Allegiance.

2. Roll Call

Mayor Otis called the meeting to order; a quorum was present to conduct official city business.

3. Residents may be heard who have matters to discuss that do not appear on the agenda

There were no residents wishing to be heard on matters that did not appear on the agenda.

4. Public hearing on proposal to create a Special Assessment District to provide public sewer facilities on Summit Avenue

Mayor Otis opened the public hearing.

Councilman Hutchings said that it was very important to create a special assessment district in areas of the city that still have septic tanks and where the residents are receptive. He encouraged the city to support this concept.

There being no one from the public wishing to address this proposal, Mayor Otis closed the public hearing.

Councilwoman Cunningham made a motion, seconded by Councilwoman Downing, to adopt the following resolution:

WHEREAS, three (3) residents and one (1) commercial property owner on Summit Avenue at North Street petitioned the City Council to create a Special Assessment District for sanitary sewer improvement benefiting property owned by those four (4) property owners; and

WHEREAS, a public hearing was held on the proposed creation of the Special Assessment District pursuant to that petition on July 19, 2000; and

WHEREAS, no opposition was stated to the proposal at the hearing and the Council finds this necessary sanitary sewer improvement will benefit the three (3) residents and one (1) commercial property owner; now, therefore, be it

RESOLVED, that creation of a Special Assessment District to benefit owners of three (3) residences and one (1) commercial property on Summit Avenue at North Street for the construction of a sanitary sewer improvement is hereby approved; and, be it further

RESOLVED, that such Special Assessment District is created pursuant to the terms of the petition of the three (3) residents and one (1) commercial property owner along Summit Avenue at North Street and the map of the district which has been filed; and, be it further

RESOLVED, it is directed that the appropriate city staff take the necessary steps in regard to the creation of the Special Assessment District and construction of the necessary improvement which will be paid for by the benefited owners pursuant to a levy established after an additional public hearing.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr, McKean, and Stampleman

NAYS:None

ABSENT: None

The resolution passed.

5. Public hearing on a proposed local law amending Article 8, of the Charter of the City of Rye to provide for an Assistant City Manager

Mayor Otis opened the public hearing.

City Manager Novak explained that the proposed local law creates the title of assistant city manager; it does not require that the position be filled.

Councilman Hutchings suggested tabling this proposed local law until the council has the opportunity to discuss the responsibilities of an Assistant City Manager in more detail.

Mayor Otis closed the public hearing. A public hearing on a proposed local law amending Article 8, of the Charter of the City of Rye to provide for an Assistant City Manager will be rescheduled at a future date.

6. Public hearing on a proposed local law REPEALING Chapter 185, Telecommunications, of the Code of the City of Rye (To be postponed indefinitely.)

Mayor Otis informed the council that Councilwoman Cunningham and he are currently drafting legislation to replace the existing city code regarding telecommunications. Therefore, the Mayor postponed the public hearing on a proposed local law REPEALING Chapter 185, Telecommunications, of the Code of the City of Rye indefinitely.

7. Public hearing on a proposed local law governing the use and occupancy of the city's rights-of-way and city-owned property (To be postponed indefinitely.)

Mayor Otis postponed the public hearing on a proposed local law governing the use and occupancy of the city's rights-of-way and city-owned property indefinitely because legislation is currently being drafted.

8. Discussion of the proposed Parking Needs Assessment Request for Proposals

Councilman McKean explained that the Parking Working Group has developed a Central Business District Parking Needs Assessment Request for Proposals (RFP). One of the objectives of this RFP is to solicit information and analyze the needs for parking in the Central Business District. He said that an addendum could be added for additional items.

Highlights of a council discussion included:

- The RFP will quantify and clarify the true nature of parking in the Central Business District.
- Phase 1 will give information on the existing parking situation; document problems and their locations; determine potential growth in the demand for parking; determine a

parking design factor for each type of parking as well as provide necessary data to analyze parking.

- If a referendum is needed, the RFP and the study would provide the necessary data to present the facts to the residents.
- Phase II will include potential remedies for parking.

Mayor Otis recommended that the RFP should not duplicate any of the CBD traffic studies done by the City Engineer.

The consensus of the council was that the City Manager will arrange for the distribution of the RFP.

9. Review of Financial Goals and Policy Statements by the City Council

Councilman Stampleman recommended referring the Financial Goals and Policy Statements to the Finance Committee for review and comments.

Discussion and review of this agenda item was postponed until the Finance Committee has reviewed the document.

10. Adoption of 2000/2001 tax levy for the Rye Neck Union Free School District

Mayor Otis apprised the council that Corporation Counsel Neale and City Assessor Whitty argued the rate in tax apportionment for City of Rye residents living in the Rye Neck Union Free School District in Albany. They applied for a special segmented rate which would be beneficial to the residents in the Rye Neck School District. To date, there has been no determination. Another hearing will be scheduled.

Mayor Otis stated that the warrant for school taxes for the Rye Neck Union Free School District must be passed; however, it can be challenged.

Councilwoman Cunningham made a motion, seconded by Councilman Hutchings, to adopt the following resolution:

WARRANT FOR SCHOOL TAXES
RYE NECK UNION FREE SCHOOL DISTRICT

TO: Michael A. Genito, Comptroller of the City of Rye

WHEREAS, the lawful authorities of the Rye Neck Union Free School District have fixed the amount of taxes to be raised for said district for the fiscal year beginning July 1, 2000 and ending June 30, 2001, in the amount of \$16,258,370.00 and have duly apportioned to the parts of said district lying within the City of Rye, the amount of \$4,990,386.00 and they have established a tax rate in the amount of \$361.195 per \$1,000 of assessed value, for the levy of the aforesaid School District taxes for the parts of said district lying within the City of Rye.

NOW, THEREFORE, in pursuance with the relevant provisions of the City Charter, you are hereby commanded to collect the taxes in the amount of \$4,990,386.00 from the part of Rye Neck Union Free School District lying within said City, at the rate of \$361.195 per \$1,000 of assessed value as fixed by the City Council.

IN WITNESS WHEREOF, the Council of the City of Rye has caused this warrant to be signed by its Mayor and the corporate seal to be affixed hereto this 19th day of July, 2000.

MAYOR, CITY OF RYE

Attest:

City Clerk

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr, and McKean

NAYS: None

ABSENT: None

ABSTAIN: Councilman Stampleman

The resolution passed.

11. Revised resolution authorizing the City Manager to enter into an agreement with Harza Engineering Company for a fee not to exceed \$24,826 to perform engineering services on the second phase of the Project Impact Technical Study

City Manager Novak informed the council that the June 21, 2000 resolution authorizing the City Manager to enter into an agreement with Harza Engineering Company contained an incorrect dollar figure. The amount originally approved by resolution was \$7,120. A closer examination of the materials during a meeting with Harza, showed that an additional \$17,706 was needed to complete Task Two of the Project Impact Technical Study. She said the total cost of this phase is \$24,826, financed by federal grants. She apologized for the error and requested that the council consider adopting an amended resolution.

Councilwoman Cunningham made a motion, seconded by Councilman Stampleman, to adopt the following resolution:

RESOLVED, that the City Council of the City of Rye hereby authorizes the City Manager to enter into an agreement with Harza Engineering Company, engineering consultant, for engineering services on the Project Impact Technical Study for a fee not to exceed \$24,826 for the second phase of the technical study evaluating the Beaver Swamp Brook and the Blind Brook watersheds.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr, McKean, and Stampleman

NAYS: None

ABSENT: None

The resolution passed.

12. Approval of a supplemental appropriation of \$6,500 from the Contingent Account to the Capital Projects Fund budget for the purpose of expanding the existing contract with Tessier Environmental Consulting to provide for the researching and authoring by the Consultant of a potential grant application under the State of New York 1996 Clean Water Clean Air Bond Act and Environmental Protection Fund

Mayor Otis said that Ms. Laura Tessier has done extensive work in this area for the city and is familiar with the city's plans and laws. He recommended extending her contract so she could research and write applications for grant funds under the State of New York 1996 Clean Water Clean Air Bond Act and Environmental Protection Fund.

Councilman Hutchings questioned the status of the Village Green panoramic.

Councilman McKean responded that there will be a presentation of the panoramics of the Village Green at a joint meeting of the Landmarks Advisory Committee, Board of Architectural Review and the City Council on August 15, 2000 at the Planning Commission meeting.

Councilman McKean made a motion, seconded by Councilwoman Larr, to adopt the following resolution:

RESOLVED, that the City Council of the City of Rye authorizes a transfer of \$6,500 from General Contingency account to Capital Projects Fund for the purpose of authorizing an application so that the City of Rye may apply for available funds under the State of New York 1996 Clean Water Clean Air Bond Act and Environmental Protection Fund , and be it further

RESOLVED, that the Rye City Manager is hereby authorized to expand the existing contract with Tessier Environmental Consulting for an amount not to exceed \$6,500 to allow Laura Tessier to perform the duty of researching and authoring a potential grant application.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr, McKean, and Stampleman

NAYS:None

ABSENT: None

The resolution passed.

13. Acceptance of two Local Government Records Management Improvement Fund grants from the State Archives and Records Administration in the amount of \$10,000 for business process analysis and design and \$3,500 for microfilming tax rolls from 1950 - 1999

Councilman McKean questioned using microfilm as an archival media considering the many options available through technology.

City Clerk Conrad explained that microfilming is still a very viable and stable media because of its longevity. Since technology is always changing, there is concern that in the future, the city might not have the hardware to retrieve records.

The City Council commended and congratulated the City Clerk for the many grants for record management she has received on behalf of the city.

City Comptroller Genito said that the creation and system design grant would provide the city with a system which minimizes paperwork and time; improves the flow of information; and provides for the efficient creation, storage, retrieval, and use of records.

A brief council discussion initiated by Councilman Stampleman focused on off-site storage for inactive and permanent records.

Councilman Stampleman made a motion, seconded by Councilwoman Larr, to adopt the following resolution:

WHEREAS, the City of Rye has been awarded two Local Government Records Management Improvement Fund grants, one in the amount of \$10,000 for a business process analysis and design, and the other in the amount of \$3,500 for the microfilming of property tax rolls; and

WHEREAS, the 2000 annual budget made no provision for either the estimated revenue or appropriation of these grant funds; now, therefore, be it

RESOLVED, that the City Council accepts the award of these grants; and be it further

RESOLVED, that the City Comptroller be authorized to amend the 2000 annual budget as follows:

Increase the General Fund Records Management estimated revenues for State Aid Records Management in the amount of \$13,500.

Increase the General Fund Records Management appropriations for Microfilming/Imaging Services in the amount of \$13,500.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr, McKean, and Stampleman

NAYS: None

ABSENT: None

The resolution passed.

14. Acceptance of a donation to the Rye Recreation Department in the amount of \$8,000 from Rye Youth Soccer and approval of an amendment to the 2000 Capital Projects Fund Recreation Field Improvements budget in that amount and approval of the transfer of \$7,000 from Capital Projects Fund Park Improvements and \$4,500 from Sterling Field Amenities to Recreation Field Improvements

Councilwoman Cunningham made a motion, seconded by Councilman Stampleman, to adopt the following resolution:

WHEREAS, improvements are to be made to the field at Rye Recreation Park in the amount of \$19,500; and

WHEREAS, the City of Rye appreciates and accepts a donation of \$8,000 from Rye Youth Soccer towards the cost of these improvements; and

WHEREAS, the additional \$11,500 needed to complete these improvements are available in two existing projects, namely Project #507103 Park Improvements and Project #507116 Sterling Field Amenities, in the City of Rye Capital Projects Fund; now, therefore, be it

RESOLVED, the equity \$7,000 from Project #507103 Park Improvements and \$4,500 from Project #507116 Sterling Field Amenities be transferred to Project #507104 Recreation Field Improvements and be it further

RESOLVED, the \$8,000 donation from Rye Youth Soccer be combined into Project #507104 Recreation Field Improvements; and be it further

RESOLVED, the total appropriation of Project #507104 is set at \$19,500.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr, McKean, and Stampleman

NAYS: None

ABSENT: None

The resolution passed.

15. Authorization for the City Manager to enter into an agreement with Bennett Associates of Norwell, Massachusetts in the amount of \$16,500 for the purpose of conducting an Executive Search for Police Commissioner

Mayor Otis said agenda items 15 and 16 are related. Therefore, he invited the council to participate in the discussion of both.

City Manager Novak said engaging the International Association of Chiefs of Police to conduct an assessment center is a typical part of the recruitment process. Other chiefs of police familiar with public safety and police management participate in the assessment. Exercises and drills will be assessed and rated by trained graders. Having reviewed the proposals, she recommended conducting an Assessment Center as part of the interview process for the position of Police Commissioner. She also recommended Bennett Associates of Norwell, Massachusetts because the company has a sense of the community and would probably be the best in recruiting a Police Commissioner.

Councilman McKean made a motion, seconded by Councilwoman Larr, to adopt the following resolution:

RESOLVED, that the City Council of the City of Rye hereby authorizes the City Manager to enter into an agreement with Bennett Associates of Norwell, Massachusetts in the amount of \$16,500 for the purpose of conducting an Executive Search for Police Commissioner.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr, McKean, and Stampleman

NAYS: None

ABSENT: None

The resolution passed.

16. Authorization for the City Manager to enter into an agreement with International Association of Chiefs of Police of Alexandria, Virginia in the amount of \$10,000 for the purpose of conducting an Assessment Center in conjunction with the Police Commissioner Recruitment and Interview process

Councilman Stampleman made a motion, seconded by Councilman McKean, to adopt the following resolution:

RESOLVED, that the City Council of the City of Rye hereby authorizes the City Manager to enter into

an agreement with International Association of Chiefs of Police of Alexandria, Virginia in the amount of \$10,000 for the purpose of conducting an Assessment Center in conjunction with the Police Commissioner Recruitment and Interview process.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr, McKean, and Stampleman

NAYS: None

ABSENT: None

The resolution passed.

17. Approval of the election of a new member to the Rye Fire Department

Councilman Hutchings made a motion, seconded by Councilwoman Cunningham and unanimously carried, to approve the election of Mr. Joseph Fazzino as a member of the Milton Point Engine and Hose Company.

18. Consideration of the request from residents of Sanford Street for controlled traffic on Sunday, July 30, 2000, for a *Block Party*

Councilman Stampleman made a motion, seconded by Councilwoman Downing and unanimously carried, to approve the request from residents of Sanford Street for controlled traffic on Sunday, July 30, 2000, for a *Block Party*.

19. Consideration of the request from residents of Overlook Place North and Hayward Place for controlled traffic on Saturday, September 9, 2000 for a *Block Party*, with a rain date of Sunday, September 10, 2000

Councilman McKean made a motion, seconded by Councilman Stampleman and unanimously carried, to approve the request from residents of Overlook Place North and Hayward Place for controlled traffic on Saturday, September 9, 2000 for a *Block Party*, with a rain date of Sunday, September 10, 2000.

20. Consideration of the request from residents of Grapal Street for controlled traffic on Saturday, September 9, 2000 for a *Block Party*, with a rain date of Sunday, September 10, 2000

Councilman McKean made a motion, seconded by Councilman Stampleman and unanimously carried, to approve the request from residents of Grapal Street for controlled traffic on Saturday, September 9, 2000 for a *Block Party*, with a rain date of Sunday, September 10, 2000.

21. Bids for Sidewalk Repairs

The following bids were received:

**Sidewalk Repairs
Contract No. 0006**

NAME OF BIDDER			Peter J. Landi Inc.		John Barreto Construction		TDT, Inc.	
#	Items	Qty.	Unit	Total	Unit	Total	Unit	Total
A97	Concrete Curb	100 LF	20.00	2,000.00	20.00	2,000.00	30.00	3,000.00
C105	Concrete Sidewalk	500 SY	45.00	22,500.00	63.00	31,500.00	65.70	32,850.00
C105D	Driveway Aprons	200 SY	63.00	12,600.00	64.00	12,800.00	71.55	14,310.00
C105-SR	Sidewalk Ramp	8 EACH	450.00	3,600.00	500.00	4,000.00	1,000.00	8,000.00
77	Traffic Main.&Prot.	LS	2,000.00	2,000.00	1,000.00	1,000.00	5,000.00	5,000.00
	Contractor's Total			42,700.00		51,300.00		63,160.00
	Engineer's Total			42,700.00		51,300.00		63,160.00
	Position			1		2		3
	% Difference			0%		20.1%		47.9%

NAME OF BIDDER			N. Picco & Sons Contracting Co.		Vincent Rusciano Construction			
#	Items	Qty.	Unit	Total	Unit	Total	Unit	Total
A97	Concrete Curb	100 LF	35.00	3,500.00	30.00	3,000.00		
C105	Concrete Sidewalk	500 SY	72.00	36,000.00	72.00	36,000.00		
C105D	Driveway Aprons	200 SY	90.00	18,000.00	81.00	16,200.00		
C105-SR	Sidewalk Ramp	8 EACH	1,000.00	8,000.00	1,200.00	9,600.00		
77	Traffic Main.&Prot.	LS	5,000.00	5,000.00	10,000.00	10,000.00		
	Contractor's Total			70,500.00		74,800.00		
	Engineer's Total			70,500.00		74,800.00		
	Position			4		5		
	% Difference			65.1%		75.2%		

Councilman Stampleman made a motion, seconded by Councilman McKean, to adopt the following resolution:

RESOLVED, that Contract No. 0006, Sidewalk Replacement, is hereby awarded to Peter J. Landi, Inc., the lowest bidder meeting specifications, in the amount of \$42,700.00.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr, McKean, and Stampleman

NAYS: None

ABSENT: None

The resolution passed.

22. Bids for Annual Street Resurfacing

The bid tabulation is on the following page.

The following bids were received:

**ANNUAL STREET RESURFACING
Contract No. 0004**

NAME OF BIDDER			ELQ Industries, Inc.		Columbus Construction Corp.		Bilotta Construction Corp.	
#	Items	Qty.	Unit	Total	Unit	Total	Unit	Total
F5C	Borrowed Backfill	100 CY	23.00	2,300.00	5.00	500.00	7.00	700.00
77	Maint. & Prot. Traffic	LS	5,500.00	5,500.00	8,744.00	8,744.00	11,000.00	11,000.00
83SB	Precoated non-Woven	10,000 SF	1.00	10,000.00	0.80	8,000.00	1.50	15,000.00
48	Milling of Asphalt	6,670 SY	2.50	16,675.00	3.40	22,678.00	3.50	23,345.00
45L	R&R Base Course	100 SY	61.00	6,100.00	16.00	1,600.00	24.00	2,400.00
I 102S	Catch Basins	10 EACH	165.00	1,650.00	1,600.00	16,000.00	2,000.00	20,000.00
403.17	Asphalt Top Type 6F	3000 TON	45.38	136,140.00	44.48	133,440.00	46.43	139,290.00
W604.07	Adjust Manhole Frame	63 EACH	255.00	16,065.00	250.00	15,750.00	250.00	15,750.00
610-A	Topsoil & Seeding	500 SY	5.80	2,900.00	2.00	1,000.00	2.50	1,250.00
97 ACEP	Asphalt Curb new base	400 LF	13.00	5,200.00	5.00	2,000.00	12.00	4,800.00
45 SX	Binder Course	600 Ton	45.38	27,228.00	44.48	26,688.00	47.43	28,458.00
C 105 SR	Sidewalk Ramp	2 Each	1,750.00	3,500.00	1,500.00	3,000.00	960.00	1,920.00
A97	R & R Concrete Curb	600 L.F.	25.00	15,000.00	26.00	15,600.00	25.00	15,000.00
	Contractor's Total			248,258.00		255,000.00		278,913.00
	Engineer's Total			248,258.00		255,000.00		278,913.00
	Position			1		2		3
	% Difference			0%		2.7%		12.3%

ANNUAL STREET RESURFACING
Contract No. 0004

NAME OF BIDDER			Tiagra Industries, Inc.					
#	Items	Qty.	Unit	Total	Unit	Total	Unit	Total
F5C	Borrowed Backfill	100 CY	30.00	3,000.00				
77	Maint. & Prot. Traffic	LS	50,000.00	50,000.00				
83SB	Precoated non-Woven	10,000 SF	1.00	10,000.00				
48	Milling of Asphalt	6,670 SY	5.00	33,350.00				
45L	R&R Base Course	100 SY	56.00	5,600.00				
I 102S	Catch Basins	10 EACH	475.00	4,750.00				
403.17	Asphalt Top Type 6F	3000 TON	52.00	156,000.00				
W604.07	Adjust Manhole Frame	63 EACH	560.00	35,280.00				
610-A	Topsoil & Seeding	500 SY	7.00	3,500.00				
97 ACEP	Asphalt Curb new base	400 LF	15.00	6,000.00				
45 SX	Binder Course	600 Ton	60.00	36,000.00				
C 105 SR	Sidewalk Ramp	2 Each	900.00	1,800.00				
A97	R & R Concrete Curb	600 L.F.	35.00	21,000.00				
	Contractor's Total			366,280.00				
	Engineer's Total			366,280.00				
	Position			4				
	% Difference			47.5%				

Councilwoman Downing made a motion, seconded by Councilwoman Cunningham, to adopt the following resolution:

RESOLVED, that Contract No. 0004, Annual Street Resurfacing, is hereby awarded to ELQ Industries, Inc., the lowest bidder meeting specifications, in the amount of \$248,258.00.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr, McKean, and Stampleman

NAYS: None

ABSENT: None

The resolution passed.

23. Bids for Minor Drainage Repairs and Improvements City-wide for 2000

The bid tabulation is on the following page.

The following bids were received:

Miscellaneous Drainage Repairs and Improvements City Wide
Contract No. 0005

NAME OF BIDDER			Delvito Contracting Co., Inc.		Bilotta Construction Corp.		N. Picco & Sons Contracting Co.	
#	Items	Qty.	Unit	Total	Unit	Total	Unit	Total
I 102 S	Catch Basins	15 Each	1,400.00	21,000.00	2,100.00	31,500.00	5,000.00	75,000.00
I 102	Drain Inlet & Frame	7 Each	1,000.00	7,000.00	2,100.00	14,700.00	5,000.00	35,000.00
M 102	Drain Manholes	5 Each	1,200.00	6,000.00	1,800.00	9,000.00	5,000.00	25,000.00
207.03	Filter Fabric	400 S.Y.	2.00	800.00	1.00	400.00	5.00	2,000.00
11.12	12" CMP	500 L.F.	15.00	7,500.00	35.00	17,500.00	50.00	25,000.00
11.15	15" CMP	200 L.F.	16.00	3,200.00	40.00	8,000.00	60.00	12,000.00
603.40	12" CAP	300 L.F.	13.00	3,900.00	39.00	11,700.00	50.00	15,000.00
11.06	6" Sch. PVC	200 L.F.	8.00	1,600.00	7.00	1,400.00	60.00	12,000.00
603.61	15" RCP Class IV	300 L.F.	18.00	5,400.00	44.00	13,200.00	70.00	21,000.00
91	¾Stone	400 C.Y.	25.00	10,000.00	27.00	10,800.00	*	*
U 5	Unclassified Excavation	200 C.Y.	5.00	1,000.00	15.00	3,000.00	*	*
5	Trench Excav. Earth	900 C.Y.	30.00	27,000.00	12.00	10,800.00	*	*
R 5	Trench Excav. Rock	100 C.Y.	20.00	2,000.00	80.00	8,000.00	*	*
8502.5014	Saw Cut Pavement	600 L.F.	3.00	1,800.00	9.50	5,700.00	*	*
304.03	Subbase Course, Type 2	600 C.Y.	12.00	7,200.00	25.00	15,000.00	50.00	30,000.00
403.13	Asphalt Binder-Type 3	200 Ton	70.00	14,000.00	70.00	14,000.00	80.00	16,000.00
403.1701	Asphalt Top-type 6F	100 Ton	80.00	8,000.00	70.00	7,000.00	80.00	8,000.00
17 K	Controlled Density Fill	100 C.Y.	65.00	6,500.00	70.00	7,000.00	50.00	5,000.00
51	Reinforced Conc. Pave	75 S.Y.	80.00	6,000.00	110.00	8,250.00	200.00	15,000.00
A 97	Concrete Curb	200 L.F.	18.00	3,600.00	18.00	3,600.00	30.00	6,000.00
C 105	Concrete Sidewalk	150 S.Y.	45.00	6,750.00	90.00	13,500.00	80.00	12,000.00
F 5 C	Backfill (earth)	100 C. Y.	10.00	1,000.00	15.00	1,500.00	50.00	5,000.00
610 A	Top Soil & Seed	500 S.Y.	6.00	3,000.00	5.00	2,500.00	5.00	2,500.00
619.01	Maint. & Prot. Traffic	LS	10,000.00	10,000.00	4,500.00	4,500.00	5,000.00	5,000.00
	Contractor's Total			164,250.00		222,550.00		326,500.00
	Engineer's Total			164,250.00		222,550.00		326,500.00
	Position			1		2		3
	% Difference			0%		35.5%		98.8%

* Contractor did not submit prices for these items in bid

Councilman Stampleman made a motion, seconded by Councilwoman Larr, to adopt the following resolution:

RESOLVED, that Contract No. 0005, Miscellaneous Drainage Repairs and Improvements City Wide, is hereby awarded to Delvito contracting, Co., the lowest bidder meeting specifications, in the amount of \$164,250.00.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr, McKean, and Stampleman

NAYS: None

ABSENT: None

The resolution passed.

24. Bids for One (1) Closed Loop Wash Water Plant

The following bids were received:

BID #7-00

ONE (1) CLOSED LOOP WASH WATER TREATMENT PLANT

NAME OF BIDDER	SECURITY	AMOUNT BID
Turf Partners 795 Route 148 Killingworth, Connecticut 06419	Certified Check \$ 1,750.00	\$ 33,954.00
Environmental System Design, Inc. 12900 Automobile Blvd., Suite C&D Clearwater, Florida 33762	Bid Bond	\$ 25,570.00

Councilwoman Larr made a motion, seconded by Councilwoman Cunningham, to adopt the following resolution:

RESOLVED, that Bid-7-00, One (1) Closed Loop Wash Water Plant, is hereby awarded to Environmental System Design, Inc., the lowest bidder meeting specifications, in the amount of \$30,065.00.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr, McKean, and Stampleman

NAYS: None

ABSENT: None

The resolution passed.

25. Draft unapproved minutes of the regular meeting of the City Council held June 21, and the special meetings held June 28, and July 5, 2000

Councilman Stampleman made a motion, seconded by Councilman McKean and unanimously carried, to approve the minutes of the regular meeting of the City Council held June 21, 2000 as amended.

Councilman Stampleman made a motion, seconded by Councilman Hutchings and unanimously carried, to approve the minutes of the special meetings of the City Council held June 28, 2000 and July 5, 2000 as submitted.

- 25 B. Consideration of resolution authorizing participation in the Financial Assistance to Business Program and the filing of an application with the New York State Environmental Facilities Corporation

Mayor Otis apprised the Council that the proposed resolution would allow small businesses in the City of Rye to participate in the Financial Assistance to Business Program.

Councilwoman Cunningham made a motion, seconded by Councilwoman Downing, to adopt the following resolution:

WHEREAS, pursuant to the Clean Water/Clean Air Bond Act of 1996, being Chapter 413 of the Laws of New York of 1996, the New York State Environmental Facilities Corporation (the "Corporation") through the Financial Assistance to Business Program (the "FAB Program") is authorized to provide state assistance to villages, towns, and cities with a population of less than one million, for small business environmental compliance assistance projects which enhance the quality of the

air or waters of the State through compliance with environmental laws and regulations, or to remedy or prevent environmental deficiencies; and

WHEREAS, the governing body of City of Rye (hereinafter, the "Municipality"), after due consideration, has determined that participation in the FAB Program is desirable and in the public interest; now, therefore, be it

RESOLVED by the governing body of the Municipality as follows:

1. The filing of an application, or applications, with the Corporation for financial assistance under the FAB Program in the form required by the Corporation is hereby authorized, including all understandings and assurances contained in said application.
2. The individual holding the following office is directed and authorized as the official representative of the Municipality to identify entities which will participate in the FAB Program, to execute and deliver said application(s), to execute and deliver any other documents necessary for participation in the FAB Program, to provide such additional information as may be required, and to take all actions on behalf of the Municipality as may be required in order to effectuate the intent and purpose of this resolution.
3. The Corporation is hereby authorized, on behalf of the Municipality to deliver payments made pursuant to the FAB Program directly to the entities identified above, or such further entities as may from time to time be named by the individual identified in paragraph 2 above.
4. A certified copy of this resolution shall be prepared and delivered to the Corporation as part of said application.
5. This resolution shall take effect immediately.

ROLL CALL:

AYES: Mayor Otis, Councilmen Cunningham, Downing,
Hutchings, Larr, McKean, and Stampleman

NAYS:None

ABSENT: None

The resolution passed.

26. Miscellaneous communications and reports

A. Councilman Stampleman initiated a discussion about the overcrowding at Playland on July 4, 2000 and the following weekend.

Mayor Otis said he has contacted the Director of Playland and County Legislator George Latimer. A meeting will be scheduled before Labor Day with the County Executive to discuss the problems of crowd control, litter and traffic at Playland on July 4th and the subsequent weekend. One issue that will be addressed is the need for the County to provide an adequate supply of County Police for people and traffic control and not to schedule large groups.

A council discussion focused on:

- the possibility of having portable signs to indicate when Playland parking lots are full;
- rerouting traffic from I-95;
- the need to have a traffic study;
- notifying the county of safety, traffic, and sanitary issues; and
- the need for a contingency plan for traffic problems.

B. Councilwoman Downing acknowledged receiving information about the National League of Cities Conference which will be held in Boston from December 5-9, 2000. She encouraged the council to attend the conference because of its value in leadership training.

C. Councilman Stampleman referenced Mr. Peter Hans Stern's letter in the June 19th *Journal News*, Letters to the Editor section. Mr. Stern's letter cited leaf blowers, aircraft and vehicular traffic as sources of noise pollution on Stuyvesant Avenue.

City Manager Novak recommended referring this matter to the Traffic and Transportation Committee for comments and review.

Mayor Otis said all complaints are referred to the Police Department for enforcement.

There was a brief council discussion on speeding, noise emanating from vehicles, and enforcement.

27. Old Business

A. Councilwoman Downing reported that The Soundkeeper Boat Pumpout Program which is now operating in the Sound costs \$30,000 a year to operate. The Village of Mamaroneck and Greenwich, Connecticut have donated \$500 each for this program. She requested that the City of Rye consider making a contribution also.

Mayor Otis said the city does not make donations, however, he suggested that the City Manager research the budget to determine the appropriate fund to support this program.

B. City Manager Novak responded to Councilman McKean by saying that the Boston Post Road retaining wall project will be rebid in the near future.

C. Councilwoman Larr reported that City Manager Novak attended her first meeting of the Emergency Medical Services (EMS). Presently, the EMS is considering changing its billing system to in-house.

D. Councilman Stampleman, as liaison to the Rye Free Reading Room, attended a joint meeting of the Landmarks Advisory Committee (LAC), the Board of Architectural Review and the Library. The new architect for the proposed additions to the Library was introduced at this meeting. The LAC outlined its concerns about the design of the library in order to preserve the Village Green and the building which are both landmarked.

E. Councilwoman Downing expressed concern about the Firemen's Memorial Monument Traffic Circle. She recommended having lines to indicate where cars should slow down or stop.

City Manager Novak noted that this has been discussed at the Traffic and Transportation Committee which takes the position that the signs are sufficient since there have not been any accidents in the past four years.

Councilwoman Downing said that Greenwich, Connecticut has appropriate signage for traffic circles. She will report to the council on Greenwich's signage at the next council meeting.

28. New Business

A. Councilwoman Cunningham informed the council that Building Inspector Tamburro will give a short workshop on the calculation of Floor Area Ratio on September 7, 2000 at 7:00 P.M. She invited the city council and any interested residents to attend this workshop.

B. In response to Councilwoman Downing's query about the forthcoming retreat for council members, City Manager Novak will forward a memo to the council.

C. Councilwoman Cunningham suggested having a public meeting to provide information to the community about the financial status of United Hospital in Port Chester and the future of this facility.

Mayor Otis suggested that the council wait until there is more information about the situation at United Hospital.

D. Councilman Stampleman apprised the council that the Planning Commission has obtained copies of the design work on lights for a high school in Long Island. He suggested sharing this with Rye High School.

City Manager Novak will arrange to have these design plans forwarded to the Project Manager at the Rye High School.

E. Councilman McKean reported that a leaking bottle of mercuric acid was found in MTA parking lot underneath the Thruway. He suggested that there be better policing of the area in terms of cleanliness.

City Manager Novak will address this issue with the MTA.

Councilwoman Downing made a motion, seconded by Councilman Hutchings and unanimously carried, to adjourn to executive session at 9:40 P.M. to discuss personnel and legal matters.

Councilman Hutchings made a motion, seconded by Councilwoman Larr and unanimously carried, to reconvene at 11:00 P.M.

29. Adjournment

There being no further business to discuss, Councilwoman Cunningham made a motion, seconded by Councilman Stampleman and unanimously carried, to adjourn the meeting at 11:05 P.M.

Respectfully submitted,

Alice K. Conrad
City Clerk